

2005 Natural Resource Legislation Bill number, sponsor and short title

Please consult the actual law for details. Bills can be found on the Legislative Branch website at: <http://leg.mt.gov>

General

[passed] **SB 145**, Dan Harrington, Revise Petroleum Tank Release Board Compensation laws

[passed] **HB 201**, Rick Ripley, Fund Natural Resource Damage litigation

[passed] **HB 453**, Kevin Furey, Administrative penalties for certain environmental law violations

[passed] **HB 615**, Chris Harris, Create an Environmental Violations Unit in the Montana Department of Justice

[passed] **HJ 34**, Jill Cohenour, Interim study of impacts of Superfund sites on surrounding communities

[passed] **HJ 36**, Rick Ripley, Study Resource Indemnity Trust funding and allocation

[vetoed] **SB 462**, Keith Bales, Revise venue requirements for actions against state agencies

Agriculture and Livestock

[passed] **SB 293**, Jerry Black, Revise laws related to ethanol—require all gasoline sold in the state to be a 10 percent ethanol blend. This mandate will not go into effect until ethanol plants in the state can produce 40 million gallons of ethanol a year

[passed] **SB 320**, Keith Bales, Facilitate establishment of concentrated animal feeding operations

[passed] **SB 461**, Donald Steinbeisser, Wolf collaring near livestock or population center

[passed] **HB 406**, Bob Bergren, Country of origin labeling—requires Montana grocery stores to label the country of origin of all chicken, beef, lamb and pork sold in the state

[passed] **HB 756**, Gail Gutsche, Encourage production and use of biodiesel

[passed] **HJ 7**, Veronica Small-Eastman, Urge Congress to restrict border opening until BSE is controlled

[passed] **HJ 29**, Diane Rice, Resolution re wolf management plan and predator control laws

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[failed] **SB 218**, Jon Tester, to mandate that the manufacturer of genetically modified wheat seeds is responsible for any damages that may occur if the seeds are introduced into Montana

[failed] **HB 359**, Gail Gutsche, Revise pesticide notification laws

[failed] **HB 464**, Bob Bergren, Expand production and use of ethanol

[failed] **HB 405**, William Jones, Revise seed laws--genetically engineered wheat seed

[failed] **HB 547**, Ralph Lenhart, Revise agricultural laws--genetically engineered wheat seed

[failed] **HB 674**, Karl Waitschies, Regulate the production and use of ethanol

Air Quality

[passed] **SB 95**, Glenn Roush, Revise oil and gas air quality permit application laws

[passed] **HB 581**, Gail Gutsche, Revise air quality laws

[failed] **HB 303**, Gail Gutsche, Eliminate bond requirements for air quality appeals

[failed] **HB 582**, Gail Gutsche, No permit for facility disposing of polyvinyl chloride through incineration

[failed] **HJ 25**, Rick Maedje, Study effects of wildfire smoke on human health

Coal Bed Methane

[passed] **HB 790**, Jim Peterson, Interim study on split estates and coal bed methane reclamation and bonding

[failed] **SB 258**, Mike Wheat, Revise compensation of surface owner for damage by oil and gas operation

[failed] **SB 336**, Lane Larson, Coal bed methane reclamation

[failed] **HB 491**, Norma Bixby, Monitor water when facilities discharge coal bed methane-produced water

[failed] **HB 744**, Rick Maedje, Rules on best available treatment for wastewater from coal bed methane wells

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Energy

[passed] **SB 50**, Dan McGee, Revise alternative energy system loan laws

[passed] **SB 83**, Glenn Roush, Clarify renewable energy projects eligible for renewable resource grants-loans

[passed] **SB 115**, Jon Tester, Create equitable property tax rate for wind generating facilities

[passed] **SB 131**, Jerry Black, Restrict use of MTBE as gasoline additive

[passed] **SB 235**, Jeff Mangan, Revise Major Facility Siting Act

[passed] **SB 340**, Jeff Essman, Builder allowed tax credit for residential geothermal systems

[passed] **SB 365**, Jon Ellingson, Extend the Universal Systems Benefits Program through December 31, 2009

[passed] **SB 415**, Jon Tester, Expand production and use of alternative energy.

[passed] **SJ 17**, Greg Lind, Encourage Congress to extend the wind energy production tax credit for 10 years

[passed] **SJ 31**, Aubyn Curtiss, Bonneville Power resolution

[passed] **SJ 36**, Ken Toole, Study distributed energy generation

[passed] **SJ 39**, Ken Toole, Study possible creation of ongoing energy planning and coordinating entity

[passed] **HB 199**, Alan Olson, Require the Energy and Telecommunications Interim Committee to assume the duties of the EQC in developing a state energy policy

[passed] **HB 212**, Jon Sesso, Energy performance contracting for public buildings

[passed] **HB 332**, Rosie Buzzas, Supplemental appropriation to fund low-income energy assistance

[passed] **HB 758** Walter McNutt, Oil, Gas, and Coal Natural Resource Account Fund

[passed] **HJ 16**, George Groesbeck, Urge support for hypersonic wind tunnel in Butte

[failed] **SB 34**, John Cobb, Revise Universal System Benefits laws

[failed] **SB 144**, Jerry Black, Require ethanol-blended gasoline by 2007

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[failed] **SB 256**, Ken Toole, Uniform net metering standards

[failed] **SB 321**, Ken Toole, Authorize the state Public Service Commission to require utilities to file regular rate cases

[failed] **SB 364**, Greg Lind, Require electric utilities to disclose the fuel mix and environmental impacts of their energy supply

[failed] **SB 371**, Dan Harrington, Extend and revise Universal System Benefits programs

[failed] **SB 372**, Ken Toole, Prohibit public subsidy of certain private coal or natural gas facilities

[failed] **SB 449** Glenn Roush, Board of Oil and Gas Conservation to promote state's oil and gas industry

[failed] **SB 514**, Jim Elliott, Property tax treatment of clean power generation

[failed] **HB 106**, Wayne Stahl, PSC approval of plant acquisition or transfer

[failed] **HB 121**, Carol Lambert, Revise net metering laws

[failed] **HB 136**, Alan Olson, Clarify Universal System Benefits for cost-effective renewable resource projects

[failed] **HB 141**, Alan Olson, Revise electricity Universal System Benefits laws

[failed] **HB 360**, Verdell Jackson, Subordinate power generation water rights

[failed] **HB 388**, Alan Olson, Create a Montana transmission authority to use tax-exempt state bonds to finance transmission projects for energy companies

[failed] **HB 389**, Alan Olson, Cost recovery for electricity generated by default supplier

[failed] **HB 455**, Paul Clark, Mercury emission standards for power plants

[failed] **HB 489**, Dave Gallik, Enhance ethanol education

[failed] **HB 499**, Veronica Small-Eastman, Prioritize funding for roads used by coal power plants

[failed] **HB 500**, Gail Gutsche, Revise membership of Board of Oil and Gas

[failed] **HB 501**, Norma Bixby, Revise Board of Oil and Gas permitting

[failed] **HB 568**, Verdell Jackson, Challenge of certain power generation water rights in adjudication

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[failed] **HB 642**, George Golie, Authorize local government entities to become default suppliers

[failed] **HB 685**, Roy Brown, Revise laws related to electricity supply and default supply service

[failed] **HB 722**, Michael Lange, Regulate rates of local governments acquiring energy transmission facilities

[failed] **HB 778**, John Musgrove, Montana Public Power Authority

[failed] **HB 800**, Michael Lange, Revise laws related to default supply of electrical energy

Fish and Wildlife

[passed] **SB 77**, Kim Hansen, Remove sunset on hunting access enhancement and hunter management programs

[passed] **SB 178**, Greg Barkus, Big game management--landowner protection of private property

[passed] **SB 410**, Steven Gallus, Revise law on urban wildlife

[passed] **HB 50**, Don Roberts, DFWP authority to remove species from state endangered species list

[passed] **HB 56**, Bill Warden, Make Fishing Access Enhancement Program permanent

[passed] **HB 79**, George Golie, Make the Habitat Montana program permanent

[passed] **HB 172**, Jill Cohenour, Increase fishing and hunting license fees

[passed] **HB 208**, Christine Kaufmann, Revise DFWP ROW acquisition and property conveyance law

[passed] **HB 298**, Paul Clark, Provide emergency stream flow for fisheries

[passed] **HB 698**, Michael Lange, Warm Water Fishery Enhancement Program

[failed] **HB 544**, Brady Wiseman, Transfer bison management to Department of Fish, Wildlife and Parks

[failed] **HB 553**, Debby Barrett, DFWP marking and management of transplanted wildlife

[failed] **HB 573**, Tim Dowell, Fencing or recapture requirements for game farms

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[failed] **HB 734**, Roger Koopman, Licensing exemptions for certain owners of private fish ponds

Forestry

[passed] **HB 612**, Rick Maedje, Revise application procedures for commercial timber removal

[passed] **HJ 10**, Hal Jacobson, Study fire-related statutes for suppression and mitigation

[passed] **HJ 33**, Alan Olson, Study contract timber harvesting

[failed] **SB 96**, Kelly Gebhardt, Authorize direct sale of logs from state land

[failed] **SB 142**, Bill Tash, Authorize leasing and licensing of state lands for timber and forestry purposes

Land Use

[passed] **SB 116**, Rick Laible, Revise subdivision laws—changes recommended by interim work group

[passed] **SB 290**, Jeff Mangan, Revise sanitation review for subdivisions

[passed] **SJ 11**, Rick Laible, Study subdivision review process

[passed] **SJ 20**, Aubyn Curtiss, Request performance audit on extent of conservation easements

[passed] **HB 230**, Hal Jacobson, Revise laws governing municipal subdivisions

[passed] **HB 436**, Dennis Himmelberger, Developer option of donating land to school district

[passed] **HB 481**, Monica Lindeen, Create Main St. program, assist towns in preserving historic downtown areas

[passed] **HB 720**, John Sinrud, Regulatory certainty for land use

[failed] **SB 158**, Rick Laible, Regulate impact fee assessments for development

[failed] **SB 173**, Bob Hawks, Waterside protection act—building setbacks

[failed] **SB 195**, Mike Wheat, Quality Growth Act

[failed] **SB 262**, Aubyn Curtiss, Compensation for takings

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[failed] **SB 456**, Rick Laible, Prohibit subdivision regulations from including building regulations

[failed] **HB 293**, Mike Jopek, Secure access to surface water as part of growth policy requirements

[failed] **HB 330**, Mike Jopek, Enhance subdivision review criteria, provide additional review authority to local governments

[failed] **HB 580**, Mike Jopek, Revise public hearing process for minor subdivisions

[failed] **HB 626**, Diane Rice, Increase percentage of freeholders needed to petition for zoning district

[failed] **HB 670**, Gary Branae, Revise vote requirement for board of adjustment on planning and zoning decisions

MEPA

[passed] **HB 470**, Paul Clark, Applicants to pay for certain environmental impact statements

[failed] **SB 281**, Carol Williams, Protection of public health and safety and fish and wildlife under permitting decision

[failed] **HB 51**, Alan Olson, Redefine cumulative impacts under MEPA

[failed] **HB 394**, Paul Clark, Protect fish and wildlife during state permitting process

Mining

[passed] **HB 185**, Christopher Harris, Authorize joint state-federal holding of reclamation bonds

[passed] **HB 370**, Dave Gallik, Revise Strip and Underground Mine Reclamation Act

[passed] **HB 379**, Jonathan Windy Boy, Fund Zortman-Landusky mine reclamation

[passed] **HB 428**, Gail Gutsche, Revise laws related to enforcement of strip and underground mine reclamation

[passed] **HB 429**, Gail Gutsche, Revise laws relating to enforcement of environmental and mining laws

[passed] **HB 591**, Mike Jopek, Clarify applicability of local zoning regulations to sand and gravel operations

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[passed] **HB 606**, Gail Gutsche, Certain small miners using impoundment to store waste must obtain DEQ approval

[failed] **SB 492**, Dan Weinberg, Dormant Mineral Interests Act

[failed] **HB 143**, Paul Clark, Authorize interim bonding for metal mine reclamation

[failed] **HB 361**, Dave Gallik, Revise Opencut Mining Act

[failed] **HB 460**, Paul Clark, Revise metal mine bonding laws

[failed] **HB 545**, Rick Maedje, Clarify rules for gravel pits

Parks and Recreation

[passed] **HB 269**, Paul Clark, Clarify recreational access to public waters upon road abandonment

[passed] **HB 312**, George Golie, Expenditure of Smith River user fees for specific purposes

[passed] **HB 321**, Tom Facey, Park district revenue for land acquisition

[failed] **SB 223**, Gregory Barkus, Revise law on recreational use of state land

[failed] **HB 260**, William Jones, Water-based recreational access purchase and funding

[failed] **HB 560**, Paul Clark, Revise stream access laws

Public Lands

[passed] **SB 259**, Dave Lewis, Land transfer to public ownership requires noxious weed control plan

[passed] **SJ 7**, Dan Weinberg, Urge comprehensive binational assessment of Flathead-Kootenai watersheds

[passed] **HB 450**, Mike Jopek, Revise state land management—directs the DNRC and the Land Board to follow local land use regulations whenever possible when leasing trust lands for commercial development

[failed] **SB 97**, Greg Barkus, Clarify authority to dispose specialized interests in state trust land

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[failed] **SB 337**, Dan Weinberg, Revise restrictions on conservation easements on state land—allow the DNRC to sell state lands to expanded group of buyers

[failed] **SB 417**, Aubyn Curtiss, Governor petition U.S. government for rules on roadless areas in national forests

[failed] **HB 599**, Veronica Small Eastman, DNRC authority to control noxious weeds on state lands

[failed] **HB 675**, Rick Maedje, Clarify conservation easement laws

[failed] **HJ 9**, Debby Barrett, Study wilderness set asides

Waste and Hazardous Materials Management

[passed] **SB 213**, Bob Story, Revise recycling laws

[passed] **SB 489**, Greg Lind, Use orphan share fund for evaluation and remediation alternatives

[passed] **HB 78**, Christopher Harris, Revise permitting of underground storage tanks

[passed] **HB 144**, Christine Kaufmann, Revise Integrated Waste Management Act

[passed] **HJ 34**, Jill Cohenour, Interim study on impacts of Superfund sites on surrounding communities

[failed] **SJ 15**, Carol Williams, Support phasing out of PBDEs harmful to humans

[failed] **HB 48**, Sue Dickenson, Solid waste licensing exclusions

[failed] **HB 57**, Christopher Harris, DEQ cost recovery for hazardous substance releases

[failed] **HB 60**, Christopher Harris, Indoor cleanup standards for methamphetamine labs

[failed] **HB 665**, Teresa Henry, Provide for regulation of mercury-added products

Water Quality

[passed] **SB 107**, Frank Smith, Clarify conditions requiring agricultural chemical ground water management plans

[passed] **SB 138**, Dan Weinberg, Eliminate temporary attachment of Flathead Basin Commission to DNRC

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[passed] **HB 236**, Verdell Jackson, Make Clark Fork River Basin Task Force permanent

[failed] **SB 233**, Sam Kitzenberg, Lower Missouri River Partner's Council

[failed] **SB 236**, Greg Lind, Revise water quality standards, allow the state to adopt stricter standards for carcinogens than the EPA

[failed] **SB 376**, Mike Wheat, Require EIS on certain reach of the Gallatin River

[failed] **HB 75**, Rosie Buzzas, Local government right of first refusal for purchase of water systems

[failed] **HB 251**, Christopher Harris, Moratorium on permits causing Gallatin River degradation

[failed] **HB 519**, Mike Jopek, Fund monitoring of surface water quality for town of Whitefish

Water Quantity

[passed] **SB 20**, Glenn Roush, Revise law concerning municipal water rights

[passed] **SB 44**, Dan McGee, Revise state water planning process

[passed] **SB 124**, Glenn Roush, Interim bridge or gap financing for regional water systems

[passed] **SB 314**, Lane Larson, Revise law governing irrigation district commissioner

[passed] **SB 498**, Jerry Black, Increase limit for loan to certain water users

[passed] **SJ 9**, Jon Tester, Request federal funds for St. Mary's project

[passed] **HB 22**, Walter McNutt, Funding for water adjudication

[passed] **HB 174**, John Witt, Revise private pond licensing laws

[passed] **HB 178**, Janna Taylor, Revise Water Use Act

[passed] **HB 206**, Art Noonan, Revise controlled ground water areas

[passed] **HB 308**, Bruce Malcolm, Make permanent law on temporary changes in appropriation right

[passed] **HB 609**, Janna Taylor, Loser pays in water rights litigation

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[passed] **HB 782**, Walter McNutt, Require issue remarks to be resolved before issuing final decree

[passed] **HJ 3** Verdell Jackson, Urge negotiations for availability and cost of water stored in Hungry Horse Dam

[passed] **HJ 4**, Jim Peterson, Urge management of water levels at Fort Peck

[failed] **SB 125**, Kim Hansen, Extend Termination of Instream Flow Water Leasing

[failed] **SB 200**, Mike Wheat, Revise appointment and term of chief water judge and water court location

[failed] **SB 269**, Mike Wheat, Clarify definition of ground water

[failed] **SB 377**, Mike Wheat, Define municipal use for Water Use Act

[failed] **SB 413**, John Cobb, Require permit before constructing impoundment, pit and appropriating water

[failed] **HB 69**, Debby Barrett, Water adjudication funding for DNRC

[failed] **HB 360**, Verdell Jackson, Subordinate power generation water rights

[failed] **HB 403**, Mike Jopek, Protect existing ground water resources and users

[failed] **HB 515**, Gail Gutsche, Revise beneficial use of instream water

[failed] **HB 568**, Verdell Jackson, Challenge of certain power generation water rights in adjudication

[failed] **HB 608** Verdell Jackson, Require measurable adverse impact when addressing new appropriation right

[failed] **HB 622**, Edward Butcher, Revise requirements for private water distribution system

[failed] **HB 734**, Roger Koopman, Licensing exemption for certain owners of private fish ponds